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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,569	04/16/2004	Fiona Jaswant Singh Sheeran	SHE04.1001	1753

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EXAMINER
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EPPS, TODD MICHAEL

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/826,569

Applicant(s)

SHEERAN, FIONA JASWANT  
SINGH

Examiner

Todd M. Epps

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 July 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 19-24 and 26-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19-24 and 26-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is the second Office Action **final** for serial number 10/826,569, Accessory Hanger, filed on April 16, 2004.

#### ***Claim Objections***

Claims 1, and 19 are objected to because of the following informalities: As for the first element, it is not clear or doesn't make sense with the phrase "a support base having a receiving portion that at least substantially transverses the support base." The same goes for claim 19. As it was understood, the Examiner interpreted as a support base having a receiving portion and an arm with first end is inserted into a receiving portion, and the arm transverses the support base. It was not defined in the specification. In addition, the drawing does not show the "traverses within the base." Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,594,419 to Lo.

Lo '419 discloses a support base (10) having a receiving portion (fig. 1) that at least substantially transverses a support base; an arm (15) having a first end and a

second end, a first angle, and a second angle (fig. 1), and wherein a first end is inserted into a receiving portion so that it rotatably engages a support base (10).

***Claim Rejections - 35 USC § 103***

Claims 19-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 2,473,086 to Montero in view of 5,924,667 to Grahn et al. (Grahn).

Montero '086 discloses an accessory hanger, comprising: a support base (12) having an internal cylindrically shaped hollow column that at least substantially transverse a support base; an arm with at least two pieces having a first section (17-top portion) and a second section (17-bottom portion), wherein a first section having a first end and a second end and a second section has a first end and a second end; wherein a second end of a first section further comprises part of a coupling means that engages and secures a first section to second section; a first end of a second section further comprises another part of a coupling means that engages and secures a second section to a first section; an attachment means (fig. 1) that engages and secures a first end of a first section to a support base; wherein a first end of a first section is substantially the same length as a support base; wherein a second end of a second section of an arm is disposed in an upward direction; wherein a first section and second section are angular; wherein coupling means comprises a hinge (16); wherein attachment means comprises a first end of a first section having a nail-like head;

However, Montero '086 fails to disclose wherein the first end of a first section further comprises spiral grooves, and a support base having corresponding grooves that

Art Unit: 3632

rotatably secures a first end of a first section. Nevertheless, Grahn '667 discloses an arm with spiral grooves on a first end and a hollow column of a support base having corresponding grooves that rotatably secures a first end of a first section. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the first end of a first section of Montero with spiral grooves on a first end along with grooves in a hollow column of a support base as taught by Grahn '667 wherein doing so would provide thereof for additional strength.

Regarding claim 24, Montero '086 in view of Grahn '667 discloses the previous invention failing to specifically teach wherein the attachment means comprises a nut with internal grooves. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a nut attached to a first end of a first section wherein doing so would provide thereof for additional support.

Regarding claim 26, Montero '086 discloses the previous invention failing to specifically teach wherein a first section having spiral grooves on a second end with a second section having a cylindrical hollow column having corresponding grooves into which the second end of a first section end is screwed. Nevertheless, Grahn '667 discloses wherein a first section having spiral grooves on a second end with a second section having a cylindrical hollow column having corresponding grooves. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified a hinge of Montero '086 with a first section having spiral grooves on a second end with a second section having a cylindrical hollow column

Art Unit: 3632

having corresponding grooves as taught by Grahm '667 wherein doing so would provide thereof for more stability.

Regarding claims 28 and 29, Montero '086 discloses the previous invention failing to specifically teach wherein the coupling means that extends the length of the arm in a telescoping manner, and using a spring. Nevertheless, Grahm '667 discloses wherein a coupling means that extends the length of the arm in a telescoping manner, and using a spring. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the coupling means of Montero '086 with a coupling means that extends the length of the arm in a telescoping manner, and using a spring as taught by Grahm '667 wherein doing so would provide thereof for more flexibility to adjust the arm.

Regarding claim 30, Montero '086 in view of Grahm '667 discloses the previous invention failing to specifically teach wherein an arm is made of a decorative manner. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have any type of decorations wherein doing so would provide thereof perchance with enhancement of the appearance of the accessory hanger.

### ***Response to Arguments***

Applicant's arguments filed July 22, 2006 have been fully considered but they are not persuasive.

Applicant argues that Lo '419 fails to disclose two elements. The Examiner clearly disagrees. Attention is directed to Lo '419 – figure 1 (see below), Lo '419

Art Unit: 3632

discloses a support base (10), an arm having a first end and a second end, a first angle and a second angle, wherein the first end is inserted into the receiving portion so that it rotatably engages the support base. As for the first element, it is not clear or doesn't make sense with "a support base having a receiving portion that at least substantially transverse the support base." See Claim Objection.

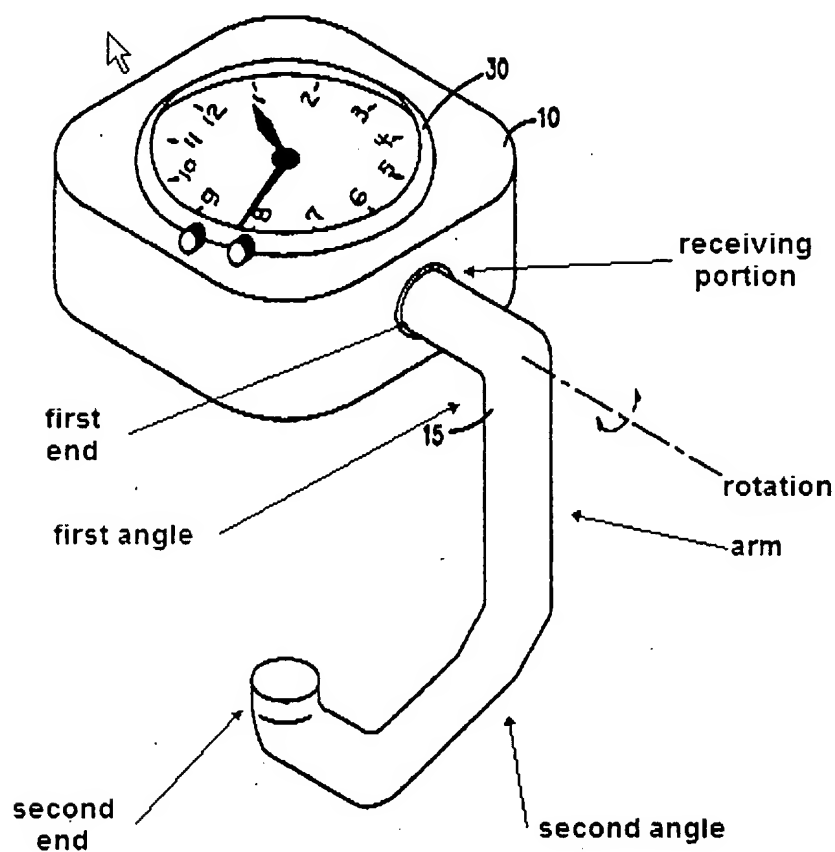


FIG. 1

Art Unit: 3632

Next, in response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

As mentioned in the Office Action above, Montero '086 fails to disclose, "the first end of the first section further comprises spiral grooves and is inserted into the hollow column so that it rotatably engages the support base." Nevertheless, Grahm '667 discloses an arm with spiral grooves on a first end and a hollow column of a support base having corresponding grooves that rotatably secures a first end of a first section. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the first end of a first section of Montero with spiral grooves on a first end along with grooves in a hollow column of a support base as taught by Grahm '667 wherein doing so would provide thereof for additional strength.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd M. Epps whose telephone number is 571-272-8282. The examiner can normally be reached on M-F (7:30-4:30).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/826,569

Page 9

Art Unit: 3632

TME

Todd M. Epps

Patent Examiner

Art Unit 3632

September 29, 2006

AJLW

Joey Wujciak

Primary Examiner

Art Unit 3632